

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRUCE FERRINI,)	CASE NO. 5:02 CV 2437
)	
)	
Plaintiff,)	
)	MAGISTRATE JUDGE
v.)	GEORGE J. LIMBERT
JAMES E. FERRELL, <i>et al.</i>)	
)	
Defendants/Third-Party)	
Plaintiffs,)	
FERRINI RARE BOOKS OF AKRON,)	
<i>et al.</i> ,)	
Third-Party Defendants.)	
STATE OF OHIO)	
COUNTY OF CUYAHOGA)	SS. SECOND SUPPLEMENTAL AFFIDAVIT OF LINDSAY P. JONES

LINDSAY P. JONES, being first duly sworn, deposes and states:

1. I am a paralegal employed at the law firm of Taft, Stettinius & Hollister LLP in Cleveland, Ohio, and this affidavit is made from personal knowledge
2. This affidavit supplements the affidavit dated November 22, 2005, which I submitted in support of Third-Party Plaintiffs' Motion to Appoint Disinterested Counsel to Prosecute Criminal Contempt (ECF Dkt. #214, Exhibit A.)
3. Subsequent to November 22, 2005, the date Third-Party Plaintiffs filed their Motion to Appoint Disinterested Counsel to Prosecute Criminal Contempt, (ECF Dkt. #214), Mr. van Rijn published two new articles which violate this Court's Orders, as follows:

- (a) On November 28, 2005, Mr. van Rijn posted an article on his website entitled "Feds blow out Gasfinger" in which he claimed personal victory in the U.S. Attorney's decision not to undertake Mr. van Rijn's criminal prosecution (*see ECF Dkt. #210*). Mr. van Rijn also posted a copy of Assistant US Attorney Hernandez's November 7, 2005 letter to Judge Limbert (ECF Dkt.# 210).
- (b) On December 4, 2005, Mr. van Rijn posted an article entitled "Ferrell Tales" in which he states "James E. Ferrel (sic) puts in a bid to buy up the American judicial system..." Mr. van Rijn also posted a complete copy of Third-Party Plaintiff's Motion to Appoint Disinterested Counsel to Prosecute Criminal Contempt (ECF Dkt.#214).

4. As of the date of this affidavit, all of the aforementioned prohibited articles,

references and links remain on the *michelvanrijn.nl* website.

5. As of December 14, 2005, all of the articles, references and links described in my November 22, 2005 Affidavit (ECF Dkt. #214, Exhibit A) remain on the *michelvanrijn.nl* website.

6. This Court's October 29, 2004 Order (ECF Dkt. #172), which granted Third-Party Plaintiffs' Second and Third Motions to Show Cause and Third-Party Plaintiffs' Motion for Injunctive Relief, enjoined Mr. van Rijn from publishing his website until he removed all references and links prohibited by Paragraph 6(a) of the Settlement Agreement. ECF Dkt. #172 at page 23. Notwithstanding that Order, since its issuance, and continuing until the present, Mr. van Rijn has continuously published the prohibited material.

7. At the October 22, 2004 hearing, I testified regarding the number of times that references prohibited by Paragraph 6(a) of the Settlement Agreement (ECF Dkt. #30) had appeared on the van Rijn website between September 5, 2004 and the date of the hearing. In that testimony, I described 590 separate prohibited references. (See Hearing Exhibit 18; *see also*, Hearing Exhibits 1-17).

Case 5:02-cv-02437-GJL Document 222 Filed 12/16/2005 Page 3 of 6

8. The 590 prohibited references which I described at the October 22, 2004 hearing remain on the website as of December 15, 2005.

9. In addition, *subsequent to* this Court's October 29, 2004 Order enjoining Mr. van Rijn's website publications, Mr. van Rijn has published 2,023 *new and additional* references that violate Paragraph 6(a) of the Settlement Agreement. These prohibited references are summarized on the chart attached hereto as Supplemental Affidavit Exhibit 1.

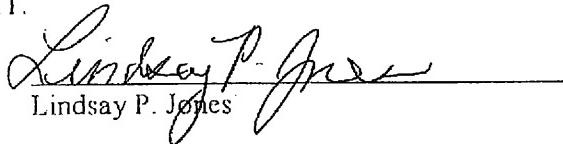
10. On November 3, 2004, the Court issued an Order requiring Mr. van Rijn to pay a fine of \$10,000 to the Court for his contemptuous actions. ECF Dkt. #173 at 5. To the best of my knowledge, no such payment to the Court has been made as of the date of this affidavit.

11. On November 3, 2004, the Court also ordered Mr. van Rijn to pay damages of \$10,590 to Third-Party Plaintiffs for his contemptuous and defamatory publications. ECF Dkt. #173 at 4-5. As of the date of this affidavit, no such payment has been received.

12. On January 21, 2005, the Court entered an additional judgment against Mr. van Rijn and in favor of Third-Party Plaintiffs in the amount of \$157,377.98. ECF Dkt. #192. Mr. van Rijn has not paid said judgment.

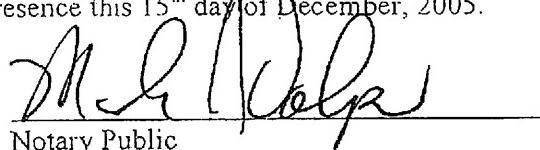
13. To date, Third-Party Plaintiffs have been unsuccessful in their attempts to collect either of the judgments rendered against Mr. van Rijn.

FURTHER AFFIANT SAYETH NAUGHT.



Lindsay P. Jones

Sworn to before me and subscribed in my presence this 15th day of December, 2005.



Notary Public

MARK JUDE VALPONI, Attorney
NOTARY PUBLIC
My commission number is 0000000000000000
Served by _____ R.C.